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PTO/SB/64 (10-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: William Yarbrough

Application No.: 09/347,714

Group Art Unit: 1614

Filed: 07/03/99

Examiner: V. Kim

Title:

Urushiol Induced Contact Dermatitis Treatment and Method

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$55.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of ~~Response to an Office Action/fee~~ (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

12/28/2000 AMNDP1 00000011 09347714

01 FC:240

55.00 OP

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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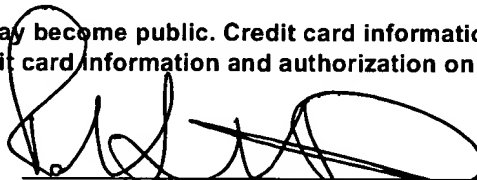
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

12/19/99
~~07/03/99~~
 Date


 Signature

Telephone
 Number: (312) 286-4433

Robert L. Knechtel

Typed or printed name

1105 Moraine Drive

Address
 Woodstock, IL 60098

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 DEC 28 2000

OFFICE OF PETITIONS

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

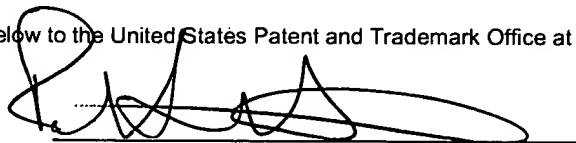
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as ^{Express Mail} ~~first class mail~~ in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

12/21/00
 Date


 Signature

Express LABEL No.: ET1672880615
 ROBERT L. KNECHTEL
 type or printed name of person signing certificate

Express Mail Label Number: ET 1L728805143

To: Assistant Commissioner for Patents
Re: U.S. Patent Application Serial Number 09/347,714
Filing Date: 07/03/99
Applicant: Yarbrough, et al
For: Urushiol Induced Contact Dermatitis
Treatment and Method of Use

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Statement in Support of Application for Patent Unintentionally Abandoned
Under 37 CFR 1.137(b)

1. I am Robert L. Knechtel, attorney registration number 36,845, attorney of record for the above-identified patent applicant. I am located in the Chicago, IL area.
2. The Examiner issued an Office Action on the above-identified application on June 16, 2000 in which certain claims were allowed, one claim was objected to, and a restriction requirement was requested for other claims (the restriction resulting from an amendment in the response to the first Office Action).
3. For strategic reasons, Applicant instructed me to delay filing the Office Action until the last day to do so. Therefore, with a request for three month extension of time pursuant to 37 CFR 1.136(a), the response would be due December 16, 2000, or December 18, 2000 because the 16th fell on a Saturday.
4. I was in New York on a business trip and due to poor weather conditions on both the east coast and in Chicago, was detained in New York until late on December 18, 2000. My flight (American Airlines flight 755) was originally scheduled to land at 7:50pm cst, plenty of time to file the document with the United States Postal Service, either the O'Hare Airport station (which is open until 9:00pm cst for express mail services) or the Chicago City station (which is open until midnight cst for express mail services). However, the flight, which took off on time, was delayed due to a storm in Chicago and did not land until 10:15pm cst. Because of the continuing storm, I was unable to reach the Chicago City station before the midnight deadline.

I respectfully request that the application be deemed to have been unintentionally abandoned under 37 CFR 1.137(b) and revived.

Under the penalty of perjury, I declare that the above statements are true and accurate.

Respectfully Submitted,

Robert L. Knechtel
Attorney for Applicant

12/19/00



Please note that Applicants' attorney's address has changed to:

Robert L. Knechtel
1105 Moraine Drive
Woodstock, IL 60098

Ph: 815-334-8776
Fx: 815-334-8871

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Please direct all future correspondence to the address above.

Thank you.